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IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

STATE'S NOTICE OF ADDITIONAL
YSTR DNA TESTING ON FINGERNAIL
CLIPPINGS AND OTHER SPECIFIED
ITEMS AND STR DNA TESTING ON
OTHER SPECIFIED ITEMS BY
SORENSEN FORENSIC LABORATORY
WHICH MAY CONSUME SAMPLES

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby Notifies this Court and Defendant that Sorenson Forensic Laboratories, 2495 Southwest Temple, Salt Lake City, Utah 84115, will commence to do additional DNA testing on the victim's fingernails and other specified items which may consume the DNA extracts from those items on Tuesday March 23, 2010 at 9 a.m. This testing may be done with a defense representative present, if the defense so desires. On November 17, 2009, this Court ordered the State to provide notice of what items are being tested, what tests are to be performed, the timeframe involved, what lab is doing the testing and whether there can be a cooperative presence by an expert from the other side.

DESCRIPTION OF TESTING

The State has transmitted a number of important evidentiary items to Sorenson Laboratories for additional testing in this case. This additional testing is necessary because further YSTR testing will eliminate the victim's overwhelming DNA from the range of possibilities and additional swabbing will attempt to provide additional DNA extracts to develop better DNA profiles for comparison purposes.

The Forensic DNA Technical Leader of the Sorenson Forensic Laboratory has provided a description of the YSTR DNA testing process as follows:

- 1.) Reswab each clipping in its entirety;
- 2.) Combine swabs of each nail on each hand;
- 3.) Make new DNA extract with new Sorenson Lab swabbings from clippings;
- 4.) Make a new DNA extract with the DNA extract from the AZ DPS Lab test;
- 5.) Combine DNA extract from AZ DPS Lab with new Sorenson Lab extract;
- 6.) Requantify the combined DNA (At this stage determination can be made whether test will consume sample or leave some remainder);
- 7.) Amplify DNA extract;
- 8.) Run the DNA on the genetic analyzer to develop a DNA profile;
- 9.) Determine if there is match.

The goal of this process is to get a full picture of all DNA present on the victim's fingernails. At the present time it has been determined that there is DNA from at least two males present on the victim's fingernails. One male is unidentified, but there is a complete DNA profile of this person. The other male is unidentified and the DNA profile is incomplete.

1 YSTR testing is more sensitive than than STR (autosomal) testing, will take less DNA and will
2 ignore the overwhelming DNA from the victim. Furthermore, if all the DNA is not consumed
3 it will be preserved for further testing, if necessary. This testing can be accomplished in its
4 entirety in less than two weeks.

5 The following numbered items are the items to be retested:

6 1403 organic extract marked 426A(Q) washing machine hose, STR DNA testing

7 1415 organic extract marked 426B washing machine drain hose, STR DNA testing

8 1416 organic extract from item 507A swabs of E-tech telephone landline handset,
9 YSTR DNA testing

10 1417 organic extract from item #805 swab sample/ doorhandle of N hallway door,
11 YSTR DNA testing

12 1424 organic extract marked #603 V1 fingernails/ left, YSTR DNA testing

13 1419 organic extract marked #600 V1 fingernails/ right, YSTR DNA testing

14 The following items are to be re-swabbed and tested:

15 408 lithium phone battery, STR DNA testing

16 600 right hand fingernail clippings, YSTR DNA testing

17 603 left hand fingernail clippings, YSTR DNA testing

18 507 telephone handset, YSTR DNA testing

19 426 washing machine hose, STR DNA testing

20 805 door handle (N hallway to garage door), YSTR DNA testing

21 These results of these tests are needed to determine whether Defendant and/other
22 known males can be excluded as the donor to the incomplete profiles found at the crime scene
23 and to determine whether there is any other biological evidence on any of the above listed
24
25
26

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1 items. The Sorenson Forensic Laboratory will allow a representative of the defense team to be
2 present when the tests are conducted.

3
4 RESPECTFULLY SUBMITTED this 18th day of March, 2010.

5
6
7 Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

8
9 By: 

10 Joseph C. Butler
Deputy County Attorney

11
12
13 COPIES of the foregoing delivered this
18th day of March, 2010 to:

14 Honorable Thomas J. Lindberg
15 Division 6
16 Yavapai County Superior Court
(via email)

17 John Sears
18 107 North Cortez Street, Suite 104
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19 Attorney for Defendant
20 (via email)

21 Larry Hammond
Anne Chapman
22 Osborn Maledon, P.A.
2929 North Central Ave, 21st Floor
23 Phoenix, AZ
24 Attorney for Defendant
(via email)

25 By: 
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